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# CONSIDERATIONS

ON THE

PUBLIC EXPEDIENCY

OF A

# Bridge

FROM ONE PART OF

*B O S T O N*

TO THE OTHER.

Boston:

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JAN. 1806.

## *Advertisement.*

NO apology will be conſidered requiſite for a calm and reſpectful examination of the merits of a public queſtion, by thoſe who are informed, that on the day of the laſt public town-meeting on the queſtion relative to a Bridge from South-Street, a pamphlet of 62 pages was diſtributed by the Front-Street Corporation.

# CONSIDERATIONS, &c.

AMONG the various projects of internal improvements which have distinguished Massachusetts since the era of her independence, none have been more obviously productive of advantage than our bridges over navigable waters. These, since the noble enterprize of Charles River Bridge, have been multiplied in all directions; and not only sister States, but foreign nations have adopted our models, and employed our artisans, to construct these useful fabrics. But as the opposition to enterprize is in proportion to its novelty and utility, so every scheme for a new bridge has been doomed to discouragements and conflicts; and it has been found by experience easier to surmount the obstacles presented by the natural stream, than the difficulties arising from the torrent of prejudice, and the worm of envy.

But of all the opposition hitherto marshalled against public improvement, none has been so distinguished for violence and perseverance, as that which has been excited by a proposal to build a Bridge from one part of Boston to the other, in a place which, though not less entitled to the benefits of its natural position, is more remote than any other, from this necessary accommodation. Yet it is believed that no bridge has been granted over a navigable stream, by which so few persons will be affected, and in so small a degree; and none except Charles River bridge to which public opinion has been more favorable. Could the scattered inhabitants of the banks of any one great river over which a bridge is now built, have clustered into one street, they might have

exhibited more formidable numbers of really intereſted opponents than crowd through Orange-ſtreet, to a bridge town-meeting; and had their navigation and other property been collected into one view, it might in ſome inſtances have appeared not leſs worthy of protection than the wharves of the South-end. Fortunately for them and the public, they could not repair to the ſeat of government and fill the chambers of the Legiſlature with their extravagant terrors:—They could not ſurround the members at home and abroad, and perſecute them into the rejection of a public good:—The bridges have been built:—The oppoſite ſhores have been united by the right hands of fellowſhip:—The country has proſpered. In all inſtances oppoſition has been huſhed; and in many, rejoiced at its own defeat.

It may be advanced as a certain and univerſal maxim, that whenever a public queſtion is propoſed, its intrinſic merit ought firſt to be conſidered by thoſe whoſe province it is to decide upon its fate. If a meaſure be not wiſe and ſalutary in itſelf, it is a loſs of time to inveſtigate objections, ariſing from the conduct or intereſts of individuals; but if, abſtracted from all private conſiderations, it promiſes to become beneficial to the public, the objections which ariſe from private intereſt are not to be regarded, unleſs they involve a queſtion of *right*, as well as intereſt. In the purſuit of truth, it is a common and fatal error, to implicate and confuſe the mind with objections to a principle, prior to a conſideration of the merits and tendency of the principle itſelf. Whatever difficulty or embarraſſment may ariſe in the propoſed inquiry, they can be traced to this cauſe. A body of reſpectable though intereſted men, under the cloak of a corporation, availing themſelves of the advantages reſulting from organized combination, and unity of deſign and action, induſtriouſly divert the public attention from a view of the only queſtion in which the community is intereſted, by their ſpecious objections. This corporation, though by law inviſible and intan-

gible, becomes diveſted of its legal attributes, and is every where heard, and ſeen, and felt. It ſpeaks by its members, its neighbours, its lawyers, and by the mouths of all whoſe jealouſy, envy, or compaſſion it is able to excite, by arguments irrelevant to the merits of a great public queſtion, and founded either upon its own exaggerated fears and calculations, or upon the perſonal views, characters, circumſtances, purſuits and principles of its opponents. It is therefore by no means wonderful, that the members of this corporation ſhould in ſome inſtances have foreſtalled the avenues to thoſe *public conſiderations*, which alone ſhould influence the deciſion of impartial men. It is perhaps more wonderful, that the *violence* of oppoſition, notwithſtanding their perſeverance and addreſs, ſhould ſo ſoon be condenſed into their own circle, and that the *appearance* of oppoſition becomes hourly leſs formidable. This change muſt be imputed entirely to the intrinſic merit of the project, which gradually forces itſelf upon the conviction of all who can either ſee or think; and to that ſtrong and natural affection for the welfare and proſperity of Boſton, which compels her children to ſacrifice their perſonal and political prejudices and jealouſies, at any altar, dedicated to the common good, whether reared by the *profane hands of ſpeculation*, or the generous energies of honeſt enterprize.

In purſuing the inquiry into the expediency of the propoſed bridge, from South-ſtreet to South-Boſton, let us not invert the natural order of things; but let us firſt examine whether ſuch a bridge will be a *public* accommodation, and then conſider the objections ſuggeſted by *private* intereſt.

It is aſſumed as a fact, that the propoſed bridge will ſhorten the diſtance more than half a mile, from the centre of the old town to the ſhores of the new diſtrict, as now travelled, and bring a great ſection of country, thus much nearer to this centre. To prove the public utility of thus diminiſhing the diſtance between the different parts or ſections of the town, it

is needleſs to recapitulate many arguments which were in point, upon the original queſtion of annexing the new diſtrict. It would be eaſy to ſhow that the Commonwealth has no choice but either to encourage the growth of her metropolis, or to permit a conſtant and increaſing diſproportion between that and the rival cities of other States. It would be not leſs eaſy to demonſtrate that the ſurplus riches of great cities naturally tend to centre in thoſe, which are ſtill greater; and of conſequence, by ſtinting Boſton within her ancient limits, no advantages would reſult to Salem, Newburyport, or Portland; but the ſurplus of their commercial capitals, together with that of Boſton, would find their way to the greater markets of the ſouthern cities, through want of accommodation at home, to the detriment of the whole commonwealth. But to enlarge upon theſe arguments is now unneceſſary. The Legiſlature, after a full hearing of them and of the written remonſtrances, and verbal arguments in reply, have ſolemnly decided *that the town of Boſton ought to be enlarged, and it has been accordingly enlarged by an addition of* 600 *acres of land.* This queſtion is therefore forever at reſt. But this ſanction of the Legiſlature upon a fair conſtruction, cannot be deemed to be reſtricted to a mere extenſion of the limits of the town. If this alone were the object, a grant of land in the Province of Maine, or upon the extremity of Cape Cod, would have been more politic, than of a tract of land which was before uſeful for agricultural purpoſes, but which now, unleſs it be appropriated to *city objects*, has become entirely unproductive. It was then the evident deſign of the Legiſlature not merely to annex a new diſtrict of land to the capital, *but to encourage the ſettlement of it as a part of the capital*; to make it a ſection of Boſton, not in *name* only, but in *truth.* Whatever was the intention of the parties immediately concerned in effecting the union, and whatever were the means by which it was accompliſhed, *the only intention which can honorably be imputed to the*

*Legiſlature, was that of forming a perfect union of the old and new territory into one metropolis, ſubject to one government, and entitled to the ſame rights.* If then upon experiment it is found that an obſtacle ſtill exiſts to the effectual ſucceſs of this intention of government, and which it is competent to remove; and that one portion of the metropolis thus created, ſtill languiſhes under that obſtacle; *it would ſeem to be the plain duty and right of government to proceed to remove it, unleſs reſtrained by ſome contract or obligation, to which itſelf was party.* Conſidering Boſton as one great town, it cannot be pretended, that the intereſt which the Commonwealth has in its proſperity, is confined to *a part*, and ought not to be commenſurate with *the whole.* On the contrary, the cauſes which juſtified the converſion of the new diſtrict from country into town, require the aid of all reaſonable means which are found requiſite to perfect the object; and that ſyſtem muſt be monſtrous and unworthy of the patronage of any government, which confines and concentrates the population and growth of one part of the capital, and debars the other parts from equal advantages; which contemplates the town as conſiſting of two diſtricts, after its incorporation into one; and which, after deciding that a new *ſection to a city* ought to be added and peopled, countenances a protracted ſtruggle between one ſet of men to promote, and another to impede its ſettlement, and leaves it in a mongrel ſtate, neither town or country.

To apply theſe principles. The town of Boſton at preſent conſiſts of two great parts or ſections; one of which, though labouring under many remedileſs diſadvantages for want of an original and regular plan, is ſtill flouriſhing and populous. The price of land in this ſection is ſo high, as to amount to a prohibition of public buildings, new ſhip-yards, rope-walks, and various manufactories, which require the accommodation of large lots; and the gardens and back lots ſo requiſite for health are conſtantly becom-

ing covered with buildings. The other ſection poſſeſſes all the natural advantages of the firſt. It is ſurrounded by navigable water, is laid out into regular and ſpacious ſtreets with reſervations for public uſe, and is equally with the old town adapted to the purpoſes of buſineſs, health and comfort. It is connected with a rich and increaſing country by expenſive and convenient turnpike roads. A few families only at preſent dwell within its limits; and the value of land is leſs than one eighth part of its average value in the other ſection. Theſe two ſections are connected by a bridge in a place *which ſerves for the convenience of neither*, and by which the latter is ſo far removed from the centre of buſineſs, that it can be expected to make but ſlow advances in population and proſperity. They are however capable of being connected *in another place which ſeems to have been intended by nature;* and thus the new part of the town would be brought more than half a mile nearer to the centre of the old part. It is agreed that in this event, population would rapidly diffuſe itſelf over the new part; that the value of it would be augmented by buildings, wharves, ſhipyards, rope-walks, manufactories and other accommodations; that the metropolis would thus be enlarged and enriched, and rendered not only a greater mart for the produce of the country, but capable of ſuſtaining an increaſed proportion of the public burthens.

If upon this ſtatement the utility of the propoſed meaſure could ſtill be thought equivocal, by thoſe who are not familiar with the ſubject, it might be pertinent to advert to the opinions of thoſe *public bodies*, who poſſeſs the beſt means of forming a judgment, and who, though likely to be more immediately affected by the event, are ſtill intereſted, only as portions of the whole community, and are not influenced by the expectation of private advantage.

The waters propoſed to be bridged form a great ſhoal or piece of flats, bounded by the towns of Boſ-

ton, Dorcheſter, and Roxbury. It is true, without any exception, that upon every queſtion relative to the *location* of a bridge, upon which theſe towns have expreſſed an opinion, they have uniformly decided in favor of *South-ſtreet, or its vicinity.* The town of Roxbury indeed made a ſhew of oppoſition to the erection of any bridge, but declared a preference for *South-ſtreet.* In the winter of 1804 a committee, appointed from every ward in Boſton, reported in favor of placing the propoſed bridge in *South-ſtreet;* and *this part* of their report was accepted by the town. Again, in the winter of 1805, ſince the preſent bridge was begun, the town of Boſton, at a meeting ſo numerous as to require an adjournment from Faneuil Hall, voted by an immenſe majority, that it would be for the advantage of the town to have a bridge from South-ſtreet; and made it a ſtanding inſtruction to their Senators and Repreſentatives to promote the meaſure.(*a*) The town of Dorcheſter alſo, in 1804, choſe a committee to cooperate in obtaining a bridge from South-ſtreet, and their ſelectmen, in 1805, addreſſed a letter to the ſelectmen of Boſton, expreſſive of the ſame ſentiments and wiſhes.(*b*) An impartial committee of both Houſes, conſiſting of gentlemen living remote from the ſcene of contention, after examining the flats, wharves, and all the propoſed ſcites, and after hearing counſel ſeveral days, made an elaborate report in favor of South-ſtreet.(*c*) In ſhort, to deny this to be the moſt eligible and only fit place, is to reſiſt the evidence of the ſenſes.

If the foregoing curſory ſtatement be not ſhewn to be incorrect and fallacious, the following poſitions appear to be ſuſtained:

1ſt. That Government has decided, upon mature deliberation, that the town of Boſton ought to be enlarged.

(*a*) See Appendix, No. I. (*b*) See Appendix, No. II.
(*c*) See Appendix, No. III.

2d. That to presume the intention of Government to be merely to extend the boundaries of the town, without encouraging its settlement, is disrespectful and absurd.

3d. That the commerce and population of the new district will advance with a tardy progression, unless another bridge be granted, and of consequence the design of Government will be frustrated.

4th. That the decision of every *public* body, on the question of a *scite* for a bridge to South-Boston, has been in favor of South-street.

5th. That a bridge from South-street would promote the settlement of the new district, bring a rich and increasing country more than half a mile nearer to the capital, be grateful to the towns of Dorchester and Boston, enlarge the domestic market for country produce, augment the means and accommodations for business, add to the relative value of the town, conduce to its health and ornament, and keep its riches within the State.

Having taken this general view of these *public considerations*, which are thought by the friends to the proposed measure to be conclusive in its favor, it remains, after ascertaining the source whence the opposition proceeds, to examine the claims and objections upon which it is founded. It has already been stated, that the only towns which are immediately affected by this project are Boston, Dorchester and Roxbury. The two former are in favor of the project, and the latter probably opposed to it, by a small majority. It is believed however that Roxbury can have no other interest in the opposition, but such as arises from her connexion with the *canal*, so called. It would appear invidious to enlarge upon the pretensions of this canal interest. They are to be estimated by the inspection of all who choose to visit it. Roxbury has become a port of delivery, since the building of one bridge, and it is hoped will reach whatever destiny the laudable enterprize of her inhabitants may lead her to attempt. But there can

be no objection from Roxbury, which is not involved in thoſe of the Front-ſtreet Corporation; and their candid citizens will not pretend, if *theſe* are obviated, that *thoſe* of Roxbury canal can maintain a ſolitary and ſufficient ſtanding.

By this time a ſtranger who had only heard of the violence, buſtle and agitation of the public mind, produced by this controverſy, finding that the principal public bodies have always been on one ſide, would be at a loſs to account for any remaining ſource of oppoſition equal to the ſupply of ſuch copious and turbulent ſtreams. But how will his aſtoniſhment be increaſed, on learning that this oppoſition originated with a few gentlemen, owners of wharves at the ſoutherly part of Boſton; that their friends and neighbours in *that quarter* joined them, through perſuaſion, the ſympathy of neighbourhood, or the love of peace, but without *a ſhadow of real intereſt* at ſtake on the iſſue; that an oppoſition *in ſincerity* has never extended beyond this ſection of the town, though *in appearance* it has ſometimes embraced individuals out of it; that the only perſons who could by *any poſſibility* be injured by a bridge, are theſe wharf-owners, now known as the Front-ſtreet Corporation; that theſe friends and neighbours begin to fall off, and that the oppoſition is gradually melting down and condenſing into this ſame Corporation; and that even among them all, the natural heat of a few is requiſite to keep alive the artificial ardour of the reſt.

Theſe aſſertions would ſeem ſcarcely credible to thoſe who are unacquainted with the town, and this particular ſection of it. It has unfortunately happened that the citizens of that quarter have conceived the projects of Charles River, Weſt-Boſton, and South-ſtreet bridges ſucceſſively to be hoſtile to their intereſts. It is no more than juſtice to allow that thoſe citizens form a highly worthy, induſtrious, intelligent, and reſpectable claſs of men. But it is not to be denied, that coming moſtly from the country, and engaged in ſimilar purſuits, they

conſtitute a ſort of great clan or family, of the ſame habits, and opinions, and liable to common, and conſequently to erroneous impulſes. Thus it is only requiſite that a few, (whoſe intereſts are alone concerned) ſhould cry out, The South-end is in danger, to excite univerſal alarm; and he who remains unmoved is a bad neighbour. Being themſelves really diſturbed, they miſtake the violence and ſympathy of their own emotions for *an agitation of the public mind;* and this agitation becomes an argument in their mouths for the promotion of their object. It was in this ſpirit that they formerly reſiſted, *en maſſe*, the propoſal for Charles River and Weſt-Boſton bridges, and that they at one period manifeſted an oppoſition both loud and deep, to another bridge in a quarter of the town now totally deſtitute of that neceſſary accommodation. Such indeed is the influence of theſe habits, that the inhabitants of the weſtern ſide of Orange-ſtreet, who have *no water privileges*, and who could have nothing to fear from a bridge, but the diverſion of the travel, have acquieſced in the formation of a new ſtreet, which, however uſeful in itſelf, will infallibly divert the principal travel, and leave their eſtates forever *in the back ground.*

Thus it may be ſafely affirmed, that the only real *intereſted* oppoſition, however magnified in appearance, which remains to the project, is *The Front-ſtreet Corporation*, or leſs than thirty individuals. The objections urged by theſe gentlemen againſt the propoſed bridge, may be claſſed under two deſcriptions. Thoſe which are ordinary, and applicable to all bridges over navigable ſtreams; and thoſe which are extraordinary and peculiar to the preſent caſe. The ordinary objections all reſolve themſelves into one; the damage incident to impeding the navigation of the river. Whenever a project of this nature is propoſed, it is a matter of courſe for thoſe who think themſelves intereſted, to magnify the importance of their water privileges, and the danger which threatens to impair them. There is a certain poſt-road

always travelled upon theſe occaſions, and a little code of principles concerning the rights of nature, and the laws of preſcription, which the traveller carries in his wallet. This being nearly the ſame in all caſes, it might be uſeful to compile, and print, and poſt up, on the State-houſe, if former Legiſlatures had not rendered this labor diſcouraging by ſo many repeated grants and deciſions, that it is now univerſally conſidered as *the right and policy of Government to bridge over navigable ſtreams, whenever the public intereſt requires the meaſure, without reſpect to any private intereſt.* For the ſame reaſon it is deemed unneceſſary to expatiate upon the nature and extent of the impediment to navigation ariſing generally from bridges; or upon the facility afforded by wharves, and draws, built upon a proper conſtruction. Upon this ſubject every man is informed; and every man knows that in all inſtances, great bridges have been found eminently uſeful to the public; and in no inſtance greatly detrimental to the eſtates ſituated above them. Let then the opponents produce their elaborate calculations of ſquare feet of wharves, and tonnage of veſſels, and of their ſtock of wood and lumber. They cannot in their own favor vary the principles which apply to this queſtion from thoſe on which other caſes have been decided. On the contrary, it is obvious that the number of perſons, and quantity of intereſt likely to be affected, are leſs than they have been under many *former grants;* and that ſuch is the flow courſe of the ſtream, and the nature of the navigation over the flats, that a bridge would aid, inſtead of impeding the navigation. But admitting, for the ſake of argument, that a bridge would render the navigation to Front-ſtreet wharves leſs commodious; one concluſive anſwer which has often been given, ſhould forever ſilence the proprietors. It is:—*That the Front-ſtreet wharves muſt forever remain the principal mart for wood, lumber, and bulky materials for the conſumption of the old town, which is the only buſineſs in*

*which they are now occupied, and to which alone they are adapted.* If this assertion can be maintained, it follows that it is perfectly immaterial to the proprietors, whether the bridge be an impediment or otherwise, and whether there be one bridge or more. The impediment like all things of this nature, if it does not amount to a prohibition, is capable of being estimated by money. It is an item of *expense*, which, when there is no competition, must fall on the consumer. If one man, or a company of men are secure of possessing and monopolizing the whole of a particular article which is in constant demand, the charges advanced by them on such article must be paid by their customers; they are mere duties. Now no man will have the hardihood to deny that the wharves in *Old Boston which are below the existing bridges*, have become so valuable, by reason of the depth of water, and of their local position, that the wood and lumber business is nearly excluded from them; and that the daily improvements on and near them, must banish this trade to another part of the town. But there is no other part in which it can be carried on with equal convenience, as at the Front-street wharves, even after the erection of a bridge. The extensive flats admit of large and cheap wharves, built upon piles. The shallow waters are unfit for foreign navigation. The stock used in this trade is there accumulated. The merchants who deal in it have the command of the capital; and the coasters must resort thither, having no other place, except the opposite shore; and the stock purchased on *that* shore can never come into competition in the market *on this side*, as the toll of the bridge, and the expense of carriage, will forever exclude it. Independently therefore of a mass of fact and argument, which may be adduced to shew that a bridge would be no impediment to the navigation, it is certain that the loss arising from the impediments (if any) will be sustained, not by the proprie-

tors of Front-ſtreet, but by the town of Boſton, which is willing to ſuſtain it.

If by the preceding ſuggeſtions, the impartial inquirer ſhould be led to conclude that the utility and expediency of the propoſed bridge are eſtabliſhed, and that the intereſt oppoſed to it will neither be affected *in ſuch numbers, or to ſuch an extent, as to balance the public advantage*, the concluſion ſeems irreſiſtible, *that it ought to be built.*

But the moſt deciſive objection, in the eſtimation of thoſe who make it, is ſtill unanſwered. It is urged that a compromiſe was made, upon a former occaſion, between the Front-ſtreet Corporation, and the petitioners for a bridge from South-ſtreet, which not only obliges thoſe petitioners, *forever to relinquiſh the purſuit, but reſtrains others from making, and the Legiſlature from ſuſtaining an application for a bridge at any place below it.* This ſuggeſtion, in the extent of its conſequences, is equally new, curious and alarming. It is not contended, that when the location of a bridge, turnpike or canal has been ſanctioned by the Legiſlature, in a place ſufficiently adapted to the public convenience, it would be juſt, while circumſtances remain the ſame, to grant another bridge, turnpike or canal, ſo near the former, without the conſent of the firſt proprietors, as to deſtroy, or in a great meaſure impair the profits of the original undertaking. And if in the preſent inſtance the proprietors of South-Boſton bridge were the opponents to the new bridge, they might have at leaſt a colour of reaſon to ſupport their remonſtrances.

But that two parties of private petitioners ſhould intend a compromiſe of different objects, which is in its nature obligatory upon other parties, public bodies, and the whole community, and which binds the Government to renounce a public benefit and ſubmit it to poſitive and palpable inconvenience, is nothng leſs than a charge upon thoſe parties *of uſurping the ſovereign power of the State.* Any individuals treating with this view would be ſubjects either

for a priſon or a mad-houſe. Nothing but the total blindneſs in which paſſion and intereſt obſcure the underſtanding of intelligent men, could induce that reſpectable Corporation to dream that any compromiſe could be binding on thoſe who were not parties to it. If they diſclaim making ſuch an inference, it is then ſuperfluous to place reliance upon this pretended compromiſe; for whatever were its contents, *it concludes nothing to the preſent queſtion, unleſs it binds the inhabitants of South-Boſton and South-ſtreet, the towns of Boſton and Dorcheſter, and the Legiſlature itſelf.*

For the more perfect ſatisfaction of thoſe, upon whoſe minds impreſſions have been made by the rumours reſpecting this compromiſe,(*d*) a copy of that inſtrument is ſubjoined, and the nature of it ſhall be examined. It is intended, however, to confine the examination ſtrictly to the inſtrument itſelf, and to ſuch concluſions as can be demonſtrated to ariſe from it. Invitations or provocations to go beyond this limit, and to deſcribe the events which preceded, the motives which influenced, and the converſations which accompanied it, are avoided, as merely tending to recrimination and diſpute, and furniſhing no fact or document upon which an unbiaſſed mind can ſafely rely. Beſides, the dangerous notion of making a private compromiſe the baſis of a legiſlative deciſion, would be ſtill more exceptionable, if the terms of ſuch compromiſe, fairly reduced to writing, were ſubject *to the verbal explanations of the parties, with reſpect to their motives or to objects not ſpecified in the inſtrument.* All deductions implied from the *nature of the contract* are fair, but collateral circumſtances and obſervations are totally foreign to the purpoſe. Such facts only will be ſelected as are notorious and ſupported by public records, and ſuch as are requiſite to make the agreement intelligible.

In the winter of 1804, four perſons, viz. Meſſrs. Tudor, Maſon, Otis, and Greene, became the proprie-

(*d*) See Appendix, No. IV.

tors of about 150 acres of land on Dorcheſter Point. The reſidue, being about 450 acres, remained in the hands of the original proprietors. The gentlemen firſt named repeatedly declared in public town-meeting, that they formed *an aſſociation by themſelves, and had no authority to make any ſtipulation for the other proprietors, or to aſſume the leaſt reſponſibility or expenſe on their account.* Two of theſe gentlemen, viz. Meſſrs. Tudor and Greene, in behalf of themſelves and aſſociates, petitioned the Legiſlature for leave to erect a bridge from South-ſtreet; and all the proprietors united in *another petition* for the annexation of Dorcheſter Point to Boſton. The other intereſts which did not join in the petition for a bridge from this place, but which had publickly declared in its favor, were Boſton, Dorcheſter, and eſpecially the inhabitants of Dorcheſter Point and the vicinity of South-ſtreet. The intereſts appearing to be oppoſed to *any bridge* were the town of Roxbury, the inhabitants of the South-end, and other individuals whoſe names appeared to ſundry remonſtrances. A committee(*e*) of both Houſes reported favorably to the petition for a bridge from South-ſtreet. To prevent the acceptance of this report, Edward Tuckerman and thirteen others, for themſelves and aſſociates, petitioned for leave to make a bridge in the place where it is now made, and to make a ſtreet from ſuch bridge to Rainsford's lane. Soon after this, the above-mentioned agreement or compromiſe was made between Jonathan Maſon, Harriſon G. Otis, *in behalf of themſelves and their aſſociates, on one part*, and William Brown, Arnold Welles, Joſiah Knapp, Benjamin Goddard, in behalf of themſelves and their aſſociates, on the other part.

Upon this agreement as recited, let us inquire, Who were the parties? What is the fair conſtruction of its terms? Has it been executed? Will the opponents ſuffer any loſs or damage, if another bridge be erected, IN CONSEQUENCE OF THIS AGREEMENT?

The parties are thoſe perſons, who are named in the inſtrument, and their aſſociates. It

(*e*) See Appendix, No. V.

has already been ſtated, that the names of the perſons forming the aſſociation, of which Meſſrs. Maſon and Otis were members, had been *publickly and repeatedly announced*. But the names of thoſe compoſing the aſſociation repreſented by the other gentlemen had never been ſtated, though it was known to conſiſt of others, as well as of the immediate parties. It follows that Meſſrs. Brown and company well knew *all* with whom they contracted, but that Meſſrs. Maſon and Otis did not know all the contracting parties of the other ſide; and it would be more reaſonable to pretend that the former repreſented the town of Roxbury, and the individual remonſtrants, which yet is not pretended, than that Maſon and Otis repreſented any but Tudor and Greene. In confirmation of this ſtatement, it was alſo publickly known that Maſon and Otis were extremely cenſured by the South-ſtreet inhabitants, as having deſerted their intereſt; that the Repreſentative from that part of the town declined voting on the queſtion, and that the inhabitants of South-Boſton publiſhed a formal proteſt, before any expenſe had been incurred by the Front-ſtreet Corporation; and it is in the higheſt degree improbable, if not abſurd, to pretend a belief that Meſſrs. Maſon and Otis meant to pledge or bind *themſelves*, in a penalty of 50,000 dollars, for the inhabitants of South-ſtreet, and of the peninſula, amounting to many hundreds, who were intereſted in their ſucceſs, but who contributed nothing toward their expenſes.

Having aſcertained the parties, the terms of the agreement next demand conſideration. They conſiſt of two ſimple covenants, *by which one party is bound to build a bridge, and the other to build a ſtreet.* This is the *entire* compact. Let thoſe who have heard the outcry made upon this compromiſe, and about breach of faith and honor, take the trouble to peruſe it, and if able, let them ſuppreſs their aſtoniſhment. *Both parts of this agreement have been executed with good faith, and the obligations ariſing from it are diſcharged.* As the terms of the agreement are ſilent

upon the ſubject of a bridge from South-ſtreet, let the inquiry be here met, whether by a fair conſtruction, or implication from its nature, it reſults that even Maſon and Otis, and their aſſociates, were bound to forbear their exertions for another bridge, *after that ſeſſion* of the General Court, in which one bridge was granted. It ſometimes happens, in contracts made between the weak and the deſigning, that clauſes are interpolated or omitted by the craftineſs of the latter, which quite pervert the intention of the parties. But that men of common ſenſe, pretending to treat upon an important ſubject, with the aid of counſel on both ſides, ſhould form a contract about *another matter*, in which the *main ſubject* is not mentioned, is a caſe which no temperate imagination can conceive to be poſſible. Yet this is the caſe which the public have been called upon to believe. We are told, with affected gravity, that it was the *intention* of the parties, that a bridge from South-ſtreet ſhould be forever abandoned. Still this object, ſo important to both parties, the ſubject of all their hopes and fears and controverſies, is never *once mentioned*, in a formal inſtrument, drawn for the purpoſe of expreſſing their mutual intentions. One party bind themſelves in a heavy penalty to perform a *ſecondary* object, in building one bridge; but it was forgotten or omitted to bind them to forbear attempting a much more *eſſential* object by procuring another. To perſiſt in the confutation of a preſumption ſo bold and unfounded, would be the only circumſtance that could give it colour. The mind is irreſiſtibly forced to the concluſion, either that no ſtipulations relative to another bridge were required, or that they were required and refuſed, as inadmiſſible and ineffectual. In either alternative, they are equally out of the queſtion.

Such is the ſimple ſtatement of this famous miſnamed compromiſe, and of the legal and equitable deductions ariſing from it, ſtripped of the ſpecious gloſſes impoſed by diſtempered imaginations. Let every honorable man examine it for himſelf, and de-

cide as a juror, a judge, or a chancellor, whether *even the original parties* of the firſt part are bound in law or equity to ſurceaſe their endeavours to obtain another bridge? Whether, with ſo great an intereſt at iſſue, they could be ſuppoſed to make an abandonment of it, without the *leaſt conſideration;* and whether this abandonment, if intended, would not have been *expreſſed?* They conſented, indeed, to withdraw their petition at that time, and to make a great ſacrifice of property, by building a bridge in another place. If the Corporation allege their belief at the time, that the mutual operations under this agreement would fortify their objections to a future bridge, the proprietors may with equal truth inſiſt upon their expectations, that theſe operations would facilitate the attainment of it. This chance each was willing to take; and if the agreement itſelf be not obligatory upon the proprietors, in the ſenſe contended for, nothing done by the Corporation, *in conſequence of the agreement*, ought to bind them, whatever loſs or expenſe might have attended it.

The remaining queſtion, therefore, whether the Corporation will ſuſtain a loſs, *in conſequence of this agreement*, is only a queſtion of curioſity, which ſhall be examined, merely to ſhew a very different reſult from what the Corporation have attempted and will attempt to eſtabliſh. IT IS A FACT, CAPABLE OF THE CLEAREST DEMONSTRATION, THAT THE FRONT-STREET CORPORATION, IN THE EVENT OF ANOTHER BRIDGE BEING BUILT FROM SOUTH-STREET, ARE GAINERS AND NOT LOSERS BY THE COMPROMISE. To prove this, it is not incumbent to ſhew that the Corporation will be in a better condition than if it had *incurred no expenſe whatever;* though even *this point* will appear to be *incidentally* eſtabliſhed. It is only requiſite to ſhew that whatever has been the amount of their expenſe, *under the compromiſe*, it is leſs than it would have been *without it.* For this purpoſe, it muſt be recollected, that in the winter of 1804, the members of the Corporation applied to the

Legiſlature for permiſſion to build not only the preſent ſtreet, *but the exiſting bridge.* Suppoſe this voluntary offer had been embraced by Government, and that the petition for the *South-ſtreet bridge had been referred or rejected, againſt the will of the petitioners,* which is ſuppoſing all the Corporation could either aſk or expect. They would then have incurred not only the ſame expenſe, which has ariſen from the ſtreet, but the addition of fifty-ſix thouſand dollars for a bridge. This they muſt have done, taking *the ſame chances* againſt them for a *future bridge* at South-ſtreet, which now exiſt. No pledge conſiſtent with the Conſtitution could have been given by the Legiſlature, that the intereſts at that time rejected ſhould not finally prevail. The ſame proteſt from the inhabitants of South-Boſton, the ſame exertions of various petitioners, the ſame votes of Boſton and Dorcheſter, would have haunted them with the apprehenſions of their final prevalence; and the unchangeable fitneſs of the meaſure would then, as well as now, have promiſed ultimately to inſure ſucceſs. But it is apparent, beyond all diſpute, that whenever another bridge is granted, the preſent bridge will become unproductive, and of little uſe, (except as an avenue to the new ſtreet.) *The loſs therefore ariſing from this bridge would have fallen on the Corporation, had it obtained the prayer of its own petition.* Yet in this ſituation it offered to place itſelf. Now the operation of the compromiſe relieved the Corporation from this hazardous part of the enterprize, by taking the bridge from its hands, and leaving to it only the expenſe of the ſtreet, by which the eſtates of the members under *any circumſtances,* have acquired an immenſe additional value. Thus the only conſideration, paid by the Corporation to the other party, was in the relinquiſhment of a heavy tax; and becauſe the latter agreed to pay this, it is contended that they are bound to the Corporation in all caſes whatſoever. In other words, the Corporation were content to embark in two expenſive enterprizes for their own benefit; one of which was in all events ſafe, lucrative

and advantageous to their eſtates ; the other of which never promiſed gain, but was attended with the hazard and probability of loſs. The laſt was relinquiſhed by them, and aſſumed by others. The probability of loſs becomes realized, by the building of another bridge. The benefit of *both* enterprizes remains forever with the Corporation. The loſs of *one*, falls excluſively upon others. Such is the cruelty and injuſtice offered to the Front-ſtreet Corporation!

The only evaſion which ingenuity can ſuggeſt to this ſtatement is, that had the members of the Corporation anticipated the erection of another bridge, they would not have been induced to incur the expenſe of the ſtreet. But unleſs their ſenſes were bewildered, they muſt have foreſeen at leaſt a *chance* in favor of ſuch other bridge, and the words of their petition certainly contemplate it as a meaſure to be adopted " at ſome future period, when *the public exigencies ſhould require it.*" The queſtion is not, however, what might have been the conduct of timid individuals, under certain impreſſions, but whether they will have juſt reaſon to repent of their exertions ? It is not whether the expenſe would have been incurred in other circumſtances, but whether their eſtates are not better by all the expenſe ?

It is, indeed, a mere fallacy to confound the merits of the main queſtion, with the pretended expenſe of their ſtreet and improvements. The ſtreet is calculated to add value to their lands, but it imparts no additional worth to their water privileges, which remain the ſame ; nor can twenty bridges diminiſh the value of their lands on this ſtreet, whatever effect they might produce upon the navigation. Further—the making of this ſtreet will be one of the moſt profitable ſpeculations ever adopted in Boſton. It forms a handſome front for a tract of land which was formerly not capable of improvement ; and has converted flats, docks, and quagmires, into ſcites ſuitable for houſe-lots. It has given a new face to that quarter of the town, and ſtamped a permanent value upon it, which no bridge can affect. The ex-

penſe of the ſtreet has been greatly exaggerated for ſpecial purpoſes. An attempt is ſubjoined to theſe ſheets, to form an eſtimate of this expenſe, and of the increaſed value of their lands.(*f*)

However diſtant from accuracy theſe calculations may be, it is ſtill a truth, that the making of land in the town of Boſton is conſidered a very profitable employment, which has been adopted not only by this Corporation, but by others in various parts of the town, under leſs favorable circumſtances. If the expenſe incurred by the Corporation to prevent a bridge, be admittted as an argument; by parity of reaſon, the diſburſements made by the proprietors of South-Boſton with a view to promote one, ought alſo to be regarded. Theſe have greatly exceeded the higheſt ſum which it is pretended has been diſburſed by the Corporation, as alſo appears in a ſubjoined eſtimate.(*f*) It is likewiſe true, that while the land reclaimed by the Corporation, will be not leſs valuable after the building of another bridge than it is at preſent, the land made by the proprietors at South-Boſton will be of little value comparatively, until a bridge be granted; and conſequently, the monies expended in it will be dormant, and unproductive to the proprietors and to the public.

Viewing then the compromiſe, and the conſequences attending it, in any fair light, it will be found, that far from enfeebling the pretenſions of the original parties to another bridge, it affords the ſtrongeſt baſis for the ſupport of their claims. They have actually diſburſed 56,000 dollars for a bridge, which, in the event of another, is *a mere donation for the advantage of Front-ſtreet.* They have exonerated the Corporation from the unprofitable part of a contract which it was willing to make, and they have been inſtrumental in encouraging improvements that have greatly enhanced the value of its eſtates. They have ſecured it at their own expenſe, from being cut off and placed in a ſtate of exile; and are, in every view, benefactors to that Corporation. It

(*f*) See Appendix, No. VI.

was to ſtrengthen their pretenſions for another bridge, that they aſſumed the burthen and *the ridicule* of an expenſive bridge, in a ſpot which excites the wonder and deriſion of every beholder; and which they could have had no other conceivable inducement to take from ſhoulders that were willing to bear it.

Let then the true queſtion be met upon its merits. Let it not be preſumed that the public or the Legiſlature will become partiſans in the colliſions of private intereſts, or the umpires of perſonal diſputes. A thouſand ſuggeſtions reſpecting the motives, characters, riches or poverty of parties, are worſe than uſeleſs. If the meaſure be a public object, it will probably be purſued until it be attained: It is impoſſible that it ſhould be relinquiſhed.

During its exiſtence, animoſities may be engendered and controverſies grow warm, and thoſe who oppoſe will conduct as if they conſidered their all at iſſue. But in theſe caſes the courſe of nature is invariable, and tranquillity ſucceeds the ſtorm. The harmony of the town will be interrupted no longer than oppoſition is unreaſonably continued to its wiſhes and intereſts; and the charter for a new bridge, will be the ſignal for peace and reconciliation among all parties. On the other hand, by deferring this grant, the oppoſite ſhores of Front-ſtreet and South-Boſton will be gradually peopled by two *hoſtile* battalions; who, inſtead of cultivating the harmony and feelings which unite citizens of the ſame town by the bonds of a common intereſt, will be involved in perpetual conteſt; and the Fathers of our Country will find, that the domain which they have added to the town, with the intention of promoting its proſperity, *is a fatal preſent—pregnant with eternal jealouſies and ſtrife.*

# APPENDIX.

## N°. I.

*At a meeting of the Freeholders and other inhabitants of the town of Boſton, duly qualified and legally warned in public town-meeting, aſſembled at Faneuil Hall, and from thence by adjournment, at Mr. Murray's meeting-houſe, on Friday, the 8th day of February, A. D.* 1805, *at* 10 *o'clock, A. M.*

THE article in the warrant, viz. "To act upon the petition of the inhabitants of South-Boſton, and others, to take the ſenſe of the town, whether they will direct their Repreſentatives to uſe their endeavours to obtain a bridge to South-Boſton, from South-ſtreet, or the parts adjacent," was read, as alſo the petition, and other papers relative thereto; and after a full debate thereon, it was *moved* and *carried*,—That it will be a great advantage to the town to have a bridge from South-ſtreet, or ſome place near it, to South-Boſton, as ſoon as the ſame can be conveniently erected; and that the Repreſentatives of the town, and Senators for the county of Suffolk, be requeſted to ſolicit the Legiſlature from time to time, and procure an Act to be paſſed for that purpoſe, without delay.

Atteſt, WILLIAM COOPER, *Town-Clerk.*

## N°. II.

DORCHESTER, JANUARY 24, 1805.

*To the gentlemen Selectmen of the town of Boſton.*

WE, having been informed that the town of Boſton is ſoon to meet, in order to inſtruct their Senators and Repreſentatives in the General Court of this Commonwealth, to ſupport the petition of the inhabitants of South-Boſton, and others, for a bridge from South-Boſton to South-ſtreet, or

thereabouts, which information we received with peculiar ſatisfaction.

Gentlemen, you will not think it intruding in our offering to you our ſentiments on this to us important ſubject; when we conſider that not one year ſince there was 600 acres of the beſt land, with a number of the inhabitants of Dorcheſter, taken from it and annexed to Boſton, without the ſmalleſt conſideration; therefore, gentlemen, permit us to ſay, that if a toll bridge is to be built, it ought, in our opinion, to be built where it will accommodate the public, and bring them the neareſt route to the centre of buſineſs in Boſton. We are convinced that the bridge now building will not anſwer the object wiſhed for by thoſe who are in the habit of ſupplying your market, and furniſhing the inhabitants of Boſton with wood, bricks, ſtones, &c. &c.

Gentlemen, for the above reaſons, we ſhall do all in our power in ſupport of ſaid petition; and again moſt earneſtly ſolicit your endeavours to the ſame end.

We omit detailing the great advantages we think it will be to the town of Boſton, to have a bridge from South-Boſton to South-ſtreet, knowing, as we do, that the inhabitants of Boſton are always ready and willing to embrace every opportunity, not only for their intereſt, but the intereſt of the Commonwealth at large.

Gentlemen, your obedient ſervants,

JOHN CAPEN, jun.
EBENEZER TOLMAN,
THOMAS MOSELEY,
EDW. W. BAXTER,

*Selectmen of Dorcheſter.*

## N°. III.

### *REPORT.*

THE Committe of both Houſes, to whom was committed the petition of William Tudor and Gardner Greene, praying for leave to build a bridge from the foot of South-ſtreet, in the ſoutherly part of the town of Boſton, to the north-weſterly point of land on Dorcheſter Point, oppoſite ſaid ſtreet; and alſo the petition of William Tudor and others, inhabitants and owners of land ſituated in that part of the town of Dorcheſter commonly called Dorcheſter Neck; and alſo the remonſtrance of a large number of the inhabitants in the ſouth part of the town of Boſton, and from the towns of

Roxbury and Dorchester, and proprietors of Roxbury Canal; having met all the said parties, and at their special request repaired to the said South-street, accompanied by their agents, and from thence proceeded to view all the wharves on the southerly shore, as far as Deacon William Brown's dwelling-house; and from thence proceeded to Dorchester Point, opposite Castle Island, and carefully viewed and examined the shores, banks and land adjacent, as far westerly as opposite to South-street or Dorchester Flats, so called; and having further particularly noticed the Roxbury canal, in all its parts and dependencies: And afterwards having again met the said parties, and examined divers witnesses touching the premises, and fully heard them by their learned counsel four days in succession, and thoroughly investigated the whole subject, and carefully considered the same with all connexions, and in all its immediate and ultimate consequences, so far as the committee have been able to embrace them—The committee are of opinion, that the erection of a bridge from the foot of South-street to Dorchester Neck, as above mentioned, and the annexation of the land contained in the peninsula called *Dorchester Neck*, with the *inhabitants* thereon situated, agreeable to the petition of William Tudor and others, for that purpose, would greatly conduce to the future prosperity of the town of Boston, by opening a new and useful avenue to the town, by enlarging its boundaries, increasing its population, and giving full scope to its commercial enterprise, the tendency of all which is to promote the public interest and convenience.

The committee beg leave further to observe, that in prosecuting the subject committed to their consideration, they have not been unmindful of the remonstrants; and while they are impressed with the great private and public utility that would accrue by carrying into effect the laudable and extensively beneficial objects embraced in the aforementioned petitions, they recognize with peculiar pleasure the sentiments expressed in the several remonstrances.

That the Government will not interfere and sacrifice the rights and property of one individual for the benefit of another; nor will they do it at all, but in cases of public necessity, and where the public good requires it; and then, not without just and equitable compensation.

Under this impression, the committee ask leave to report, that William Tudor and Gardner Greene have liberty to bring in a bill for erecting a bridge from South-street to Dorchester Point, as set forth in their petition, conformable to

ſuch rules, regulations and conditions as the Legiſlature ſhall enjoin. The committee, however, conceive it their duty to obſerve, that it is of importance that the draw or drawers to the bridge ſhould be well conſtructed, and the bridge be well lighted at the drawers, during the ſeaſon when veſſels are moſt frequently navigating the waters above the bridge; and the committee are of opinion, that for the ſafety of veſſels, and to facilitate their paſſing the drawers at ſaid bridge, the proprietors ſhould provide and conſtantly keep, at their own expenſe, from the firſt day of April to the firſt day of December, in each and every ſucceeding year, one good boat and two men, whoſe duty it ſhall be, in the beſt poſſible way and manner, to aſſiſt all veſſels in paſſing the drawers, without the neceſſity of caſting their anchors. And the committee are further of opinion, that the proprietors of ſaid bridge ought to pay annually, after the completion of the ſame, the ſum of *eleven hundred dollars*, to a committee choſen by the wharfingers above the bridge, meaning to include the Roxbury canal wharf, or to a committee choſen or appointed in ſuch other way as the wiſdom of the Legiſlature ſhall direct; which ſum ſhall be annually expended in ſuch way and manner as ſhall, in the judgment of the committee, with the advice of the wharfingers, moſt effectually aid and encourage the navigation above the bridge.

And as it is impoſſible to determine with preciſion the effects of the bridge on the navigation above the ſame, and of courſe to eſtabliſh any rule that will inſure equal juſtice between the petitioners and the remonſtrants concerned in navigation, the committee think it proper to ſuggeſt the propriety and neceſſity of providing in the bill, that the proprietors may, at the expiration of three years after the completion of the bridge, apply to the Governor, who ſhall, with the advice of Council, be authorized to appoint a committee of three perſons to hear the parties, and ſo to regulate all matters touching the premiſes, as to them ſhall ſeem juſt and equitable; providing however, that they ſhall not increaſe the ſum above mentioned to be paid annually. And that it ſhall be further lawful for the proprietors to make ſimilar applications once in five years forever afterwards, that ſimilar proceſs may be had thereon.

E. STARKWEATHER, *per order.*

## N°. IV.

*Articles of agreement made and concluded this* 18*th day of February, A. D.* 1804, *between Jonathan Maſon and Harriſon Gray Otis, of Boſton, Eſquires, in behalf of themſelves and aſſociates, of the firſt part, and William Brown, Arnold Welles, Eſquires, Joſiah Knapp and Benjamin Goddard, Merchants, all of Boſton, in behalf of themſelves and aſſociates, of the ſecond part.*

WHEREAS the ſaid parties of the firſt part contemplate, and intend to attempt to procure from the Legiſlature of Maſſachuſetts, an Act of incorporation, authorizing them to erect a bridge, from the town of Boſton's Landing, ſo called, in Orange-ſtreet, in ſaid Boſton, or from ſome place *ſoutherly* thereof, to Dorcheſter Point; and alſo to procure, if practicable, the annexation of ſaid point to the town of Boſton. And whereas the ſaid parties of the ſecond part, with their aſſociates, contemplate, and intend to form and fill up a new ſtreet, running from ſaid bridge to Rainsford's-lane, ſo called, as is hereafter deſcribed.——Now this agreement witneſſeth:

*Firſt.* The ſaid parties of the firſt part, *for themſelves, their executors and adminiſtrators*, do hereby covenant and agree with the parties of the ſecond part, their executors, adminiſtrators and aſſigns, that they will apply to the Legiſlature of this Commonwealth, and uſe their utmoſt endeavours to obtain an Act of incorporation, for the purpoſe of enabling them to build a bridge, from the Town's Landing in Orange-ſtreet, or ſome place ſouth thereof, to Dorcheſter Point, and another Act for annexing the ſaid point to the town of Boſton; and that when ſaid Acts ſhall be obtained, they will, with all reaſonable diſpatch, commence the building of ſaid bridge, and complete the ſame.

*Secondly.* The parties of the ſecond part, for themſelves, their executors and adminiſtrators, do hereby covenant with the parties of the firſt part, their executors, adminiſtrators and aſſigns, that they will unite in their ſincere and conſtant endeavours to enable the party of the firſt part to obtain the ſaid two Acts of the Legiſlature, until the ſame ſhall be obtained: And that whenever the Act authorizing the erection of ſaid bridge ſhall have paſſed, and the proprietors thereof ſhall begin to build ſaid bridge, they will forthwith lay out and make, at their own expenſe, a certain ſtreet, or public highway, which ſhall run from Rainsford's-lane, ſo called, until it comes to ſaid bridge; the eaſtern line of ſaid ſtreet

to be at ſuch a diſtance from the ſouth-weſtern corner of Deacon Brown's houſe, in Orange-ſtreet, that no part of ſaid eaſtern line ſhall be nearer than 350 feet from the eaſtern line of Orange-ſtreet; ſaid road to be at leaſt 50 feet wide in all its parts, with a good and ſufficient ſtone facing next the ſea; and that the ſame ſhall be completed on or before the firſt day of November, A. D. 1805.

And to the true performance of their reſpective agreements, the parties hereby bind themſelves to each other, in the penalty of *fifty thouſand dollars*.

In teſtimony whereof, the parties have hereunto ſet their hands and ſeals, the day and year before written.

## N°. V.

WE the ſubſcribers, inhabitants and owners of land on the peninſula of Dorcheſter Neck, (ſo called,) lately annexed to the town of Boſton, having ſeen a notification of the 13th inſt. requeſting a meeting of certain proprietors of lands and flats, lately incorporated for the purpoſe of making a ſtreet from Rainsford's-lane to the public landing, at the ſouth-end of ſaid town,—think it proper in this way to inform the ſaid proprietors, and all concerned, that we were petitioners to the Hon. General Court, for the annexation of ſaid peninſula to the ſaid town of Boſton, with a view, and from a ſtrong expectation, if not on the expreſs condition, of having a bridge erected from South-ſtreet, or ſome part of Wheeler's Point, to the ſaid peninſula; and feel not a little diſappointed and mortified on finding, that ſeveral gentlemen who have lately purchaſed lands on the ſaid peninſula, who were petitioners for a bridge from South-ſtreet, and whom we were induced to conſider as having the ſame intereſt with ourſelves, have been prevailed on, without our conſent, or conſulting us in any degree or manner whatever, (and that after the Hon. Court's committee had reported moſt favorably on their petition,) to relinquiſh the ſaid object, and agree to have a bridge built, connecting the ſaid town with the ſaid peninſula, in an indirect manner, and ſo as by no means to anſwer our expectations, or comport with our wiſhes.

We do not, however, conſider ourſelves as bound by the doings of the gentlemen above referred to; and hope, after having made this public declaration, previous to any expenſe being incurred relative to the ſtreet above mentioned, we ſhall

not be conſidered as acting an unfair or ungenerous part, ſhould we uſe all juſtifiable and regular means, (as we undoubtedly ſhall,) in future, to obtain a more direct and convenient communication between the town of Boſton and the aforeſaid peninſula, than the one now contemplated.

MOSES EVERETT.
HENRY GARDINER.
MARY CLAP.
JONATHAN BIRD.
JAMES EVERETT.
JAMES BLAKE, *for himſelf and heirs.*

March 16, 1804.

## N°. VI.

*Eſtimate of the Expenſe of making Front-ſtreet.*

| | |
|---|---|
| Length 3050 feet, breadth 50, depth 10, equal to about 7000 ſquares of 216 cubic feet, at 2 dollars per ſquare for filling, - - dols. | 14000 |
| 6100 perch of ſtone laid, at dols. 2:50, - | 15250 |
| | 29250 |
| Add for inſide walls, drains, lamp-poſts, &c. 25 per cent. | 7312 |
| Whole coſt, - - - - - dols. | 36562 |

The above eſtimate is founded upon prices paid for work on the oppoſite ſhore, carried on at the ſame time; but it having been confidently aſſerted that the aſſeſſments amount to 21 dollars per ſhare, let it be ſo aſſumed, and it will give for the expenſe 64050 dollars.

Let us ſee the value of this new made land and of ſouth-end eſtate, notwithſtanding the erection of Charles River and Weſt-Boſton bridges, and the apprehenſion of a bridge at South-ſtreet.

In the years 1794 and 1796, Mr. David Ellis purchaſed a piece of land, meaſuring ſouth on Harvard-ſtreet 98 feet 6 inches, and weſterly 233 feet, running down to low-water mark. For this land, being 22960 ſquare feet of upland, with a houſe, diſtill-houſe and utenſils, and other buildings, wharf and flats, he gave, as appears by the deeds, dols. 6383:33.

In the ſummer of 1805, *ſince the bridge and ſtreet were begun, and ſince the vote of Boſton in favor of South-ſtreet Bridge*, Mr. Ellis has ſold three pieces of upland on the weſt ſide of the ſtreet, making 100 feet thereon, and averaging about 66 feet deep, (excluſive of 10 feet which the purchaſer muſt always keep open,) for - - - - - dols. 4850

He has ſold a piece of flats on the eaſt ſide of Front-ſtreet, and bounded thereon 100 feet, for - 5000

Total, - - - - - 9850

Deduct whole coſt, - - 6383

Expenſe of making 100 feet of ſtreet, 2100

8483

Remains (beſides at leaſt two-thirds of his upland, and his houſe, buildings and wharf) more than he gave for the whole, - - - - 1367

Theſe ſales of Mr. Ellis ſhew the preſent value of the back land now brought into view, to be 73 cents per ſquare foot; but as they are the firſt ſales, and as the proprietors are generally men of great fortune, who can hold their lands for a price, it is a moderate eſtimate to rate it at 75 cents per ſquare foot.

The land between Orange-ſtreet and the weſt ſide of Front-ſtreet muſt be at leaſt 300 feet wide (by the Act of incorporation.) Suppoſe the firſt 100 feet to be attached to the homeſtead, and laid out of the queſtion; there remains a tract of 200 feet by 3050, included within the weſt line of the new ſtreet, which when filled up will be ſaleable for houſe lots; this tract is equal to 610000 ſquare ſuperficial feet. But as a part of this land was before filled up, and uſeful for ſome purpoſes, take only one half as being mere dock, and requiring to be entirely filled up, leaves 305000 ſquare feet.

305000 ſquare feet, at 75 cents, is now worth dols. 228777:50

Suppoſe it, as before, 10 feet deep, (which is a great average,) it is equal to about 14120 cubic ſquares, which at 2 dollars each for filling up, is 28240

Add the expenſe of the ſtreet, - 64000

92240

Nett profit, after charging all expenſes on the made land, &c. leaving the water privilege clear, 136537:50

But to this ought in juſtice to be added, the increaſe of value of the next 100 feet by 3050, which is at leaſt 50 per cent. - - 114388:75

Clear profit to the Front-ſtreet Corporation, 250926:25

The whole of which profit is on the land on the weſt ſide of the ſtreet, totally diſconnected with the water privilege.

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*Schedule of Diſburſements made, and to be made, on the Bridge and Land at South-Boſton, by the Parties intereſted in promoting a new Bridge, to be ſupported by Vouchers, when called for, excluſive of the Land purchaſed.*

| | |
|---|---|
| Bridge, - - - - dols. | 56000 |
| Levelling land, making ſea wall, roads, &c. - | 40000 |
| Turnpike, - - - - - | 44000 |
| Eſtimate to complete filling up againſt ſea wall already built, - - - - - - - - - | 30000 |
| | 170000 |
| Deduct for ſhares in bridge belonging to opponents of the new bridge, - - - - - | 7000 |
| | 163000 |
| The whole value of water privilege, as ſold by Mr. Ellis, is - - - - - - - | 152500 |
| Dols. | 10500 |

Thus it appears, that the ſums actually expended by the parties intereſted in a new bridge, and ſtill neceſſary to complete the filling up of the land at South-Boſton, exceed the whole value of the water privilege of the Front-ſtreet Corporation, in the ſum of 10500 dollars, taking the actual ſales of one of its members for a ſtandard ! ! !